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Practitioner's Docket No. 12,975

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jian Qin et al.

Application No.: 08/759,108  
Filed: December 2, 1996  
For: ABSORBENT COMPOSITION

Group No.: 1713  
Examiner: M. Reddick

RECEIVED  
AUG 22 2001

OFFICE OF PENTIONS

Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTENTION: Petition Information  
Crystal Park One, Suite 520

PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY UNDER  
37 C.F.R. § 1.137(b)

1. This application became abandoned on March 8, 2001.
2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. § 1.137(b)(3). We believe the unintentional delay resulted from the following circumstances. I am the responsible attorney for this case. My normal procedure for ensuring that we respond to office actions is to review a docket report that has been marked up by the administrative assistant that I work with. The docket report includes our internal case numbers, a description of the actions that are required, and the dates by which the described actions must be taken. Before I see the report, the administrative assistant marks the report to identify office actions or other tasks that I must address. Items that have already been completed are checked off so that I don't have to spend time looking at a completed item.

Because of surgery and subsequent rehabilitation, the full-time administrative assistant that I work with was out of the office from 30 January 2001 to 26 March 2001. Three temporary office workers filled in at various times during her absence. At some point the listing corresponding to this case on the docket report was checked off as completed, with the words "filed 1/4/01" appended to the listing. In other words, someone erroneously thought that the filing of the *notice of appeal*--which was mailed on 1/4/01--corresponded to our filing an *appeal brief*. Accordingly, I believed that the appeal brief in this case had been filed--until Examiner Reddick called on 10 August 2001 and pointed out our error.

I was not in the office to receive Examiner Reddick's call because I was away on vacation. When I returned on Tuesday, 14 August 2001, I called Ms. Reddick and left a voice mail. She returned my call

on Wednesday, 15 August 2001, and confirmed that the case was abandoned. We reviewed our files and pieced together the circumstances by which we unintentionally committed the above docketing error.

3. Response or action required

has been filed.

is attached.

4. Fee (37 C.F.R. 1.17(m) )

Application status is:

Small business entity--fee \$620.00

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A statement is attached.

AUG 22 2001

A statement was filed.

OFFICE OF PETITIONS

Other than small entity--fee \$1,240.00

5. Payment of fee

Authorization is hereby made to charge the amount of

\$620.00.  \$1,240.00.

to Deposit Account No. 11-0875

to Credit Card as shown on the attached credit information authorization form PTO-2038.

A duplicate of this petition is attached.

Date: 17 August 2001

Sebastian C. Pugliese III

Signature of person making statement  
that abandonment was due to an unintentional delay

Sebastian C. Pugliese III

(type or print name of person making statement)

65 Crestview Drive

Residence of person making statement

Hortonville, Wisconsin 54944

SIGNATURE OF PRACTITIONER

Reg. No.: 42,091

Tel. No.: (920) 721-2747

Sebastian C. Pugliese III

Sebastian C. Pugliese III

Kimberly-Clark Worldwide, Inc.  
P.O. Box 349  
Neenah, Wisconsin 54957-0349

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jian Qin et al.  
Serial No.: 08/759,108  
Filed: 12/02/1996  
For: ABSORBENT COMPOSITION

Group No: 1713  
Examiner: M. Reddick

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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AUG 22 2001

OFFICE OF PTEITIONS

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that the attached correspondence comprising:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Is being deposited with the United States Postal Service as first-class mail in an envelope  
addressed to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

on: August 17, 2001

Lanette Burton  
(Type or print name of person mailing paper)

Lanette Burton  
(Signature of person mailing paper)

(Certificate of Mailing Under 37 C.F.R. 1.8(a) [8-21])